

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|                           |   |                                |
|---------------------------|---|--------------------------------|
| PAUL DALE WOLFE, #215433, | ) |                                |
|                           | ) |                                |
| Petitioner,               | ) |                                |
|                           | ) |                                |
| v.                        | ) | CIVIL ACTION NO. 2:05-CV-742-D |
|                           | ) |                                |
| J. C. GILES, et al.,      | ) |                                |
|                           | ) |                                |
| Respondents.              | ) |                                |

**ORDER ON MOTION**

Upon review of the supplemental answer filed by the respondents on November 2, 2005 (Court Doc. No. 14), which the court construes to contain a motion to hold § 2254 petition in abeyance, and for good cause, it is

ORDERED that:

1. This motion be and is hereby DENIED.
2. On or before November 21, 2005, the respondents shall file a supplemental answer which advises the court of the status of petitioner's Rule 32 petition. If this petition is pending in the state courts, the respondents shall address what effect, if any, the state collateral proceeding has on the instant federal habeas action.

DONE, this 14<sup>th</sup> day of November, 2005.

/s/ Susan Russ Walker  
SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE